

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ORDER

AND NOW, this _____ day of _____, 2024, upon consideration of Defendants' Motion For An Extension of Time to File a Memorandum in Support of Post-Trial Motions, Defendants' Motion is Hereby **GRANTED**. Defendants may file their Memorandum in Support of Post-Trial Motions thirty (30) days after receipt of the trial transcripts.

BY THE COURT:

JOHN F. MURPHY, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO
FILE A MEMORANDUM IN SUPPORT OF POST-TRIAL MOTIONS**

Defendants, City of Philadelphia; Police Officers Joshua Burkitt, Eric Clark, Jose Hamoy, Brian Murray, Patrick Saba, and Edward Song; Sgt. Kevin Mellody; and Lt. Demetrius Monk (collectively, “Defendants”), by and through the undersigned counsel, hereby file this Motion For An Extension of Time to File a Memorandum of Law in Support of Defendants’ Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial or to Alter or Amend the Judgment, pursuant to F.R.C.P. 50 and 59. Defendants respectfully request that the Court allow them to file their Memorandum of Law thirty (30) days after receiving the trial transcript in this matter.

In support of their Motion, Defendants state the following:

1. A Civil Judgment was entered in this matter on September 30, 2024. Exhibit A.
2. Jury selection was conducted on September 23, 2024, and trial of this matter was held from September 23, 2024, through September 27, 2024.
3. The jury deliberated on September 27, 2024, and completed a Verdict Form answering specific interrogatories. The jury did not award Plaintiff Felishatay Alvarado compensatory or punitive damages against individual Defendants Joshua Burkitt, Eric Clark,

Jose Hamoy, Brian Murray, Patrick Saba, Edward Song, Kevin Mellody, and Demetrius Monk. The jury awarded Plaintiff Felishatay Alvarado compensatory damages against Defendant the City of Philadelphia in the amount of \$1,000,143.50. Exhibit B.

4. Pursuant to the jury's answers to the jury interrogatories, the Court entered judgment against Joshua Burkitt, Eric Clark, Jose Hamoy, Brian Murray, Patrick Saba, Edward Song, Kevin Mellody, and Demetrius Monk, and the City of Philadelphia.

5. As a result of this judgment, Defendants will file a Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial or to Alter or Amend the Judgment by October 28, 2024.

6. To ensure an accurate and complete Memorandum of Law in Support, Defendants have ordered the trial transcript on this matter.

7. Defendants cannot complete the Memorandum of Law in Support until after the full trial transcript is received and reviewed by Defendants.

8. Defendants require an extension of time in which to file their Memorandum of Law in Support of their post-trial motions. Plaintiff Alvarado does not contest this motion.

WHEREFORE, Defendants respectfully request this Court to extend the time in which Defendants must file their Memorandum of Law in Support to thirty (30) days after receipt of the trial transcript.

Respectfully submitted,

Date: October 3, 2024

/s/ Jonah Santiago-Pagán

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FELISHATAY ALVARADO, :
Plaintiff, :
v. :
CITY OF PHILADELPHIA, et al., :
Defendants. :
: Civil Action
No. 22-3763

CERTIFICATE OF SERVICE

I, Jonah Santiago-Pagn, Esquire, Attorney for the Defendants in the above-captioned matter, certify that the foregoing Motion for an Extension of Time to File a Legal Memorandum in Support of Post-Trial Motions was filed this day via the Court's ECF system and is available for viewing and downloading by all parties and counsel of record:

Keith West, Esq. (counsel for Plaintiff, Felishatay Alvarado) (via ECF)
David Thiruselvam, Esq. (counsel for Plaintiff, Felishatay Alvarado) (via ECF)
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Date: October 3, 2024

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